

SENATE BILL 767
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 6, Part 2, relative to the issuance of warrants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-6-204, is amended by deleting the section in its entirety and substituting instead the following:

40-6-204. The written examination shall set forth the facts stated by the informant tending to establish the commission of the offense and the guilt of the defendant. Such written examination shall include, but not be limited to, the facts that establish the informant's basis of knowledge, the informant's reliability, and the reliability of the information.

SECTION 2. Tennessee Code Annotated, Section 40-6-205(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) If the written examination contains facts that establish the informant's basis of knowledge, the informant's reliability, and the reliability of the information, and the magistrate is satisfied from the written information that the offense complained of has been committed and that there are reliable grounds to believe the defendant is guilty thereof, the magistrate may issue a warrant of arrest.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.